

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

ANN ROBBINS,  Plaintiff,  v.  MED-1 SOLUTIONS, LLC,  Defendant.	CASE NO. 1:14-cv-1703-TAB-SEB
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**DEFENDANT'S RESPONSE TO**  
**FIRST SET OF INTERROGATORIES TO DEFENDANT**

Interrogatory No. 1:

State the date you first learned that Ms. Robbins had filed an appeal in Cause No. 49K03-1407-SC-003946.

RESPONSE:

**December 09, 2014**

Interrogatory No. 2:

State whether you checked the Court's (online or other) docket to see if an appeal had been filed prior to filing your motion for proceedings supplemental on January 20, 2015 in Cause No. 49K03-1407-SC-003946.

RESPONSE:

**Defendant lacks sufficient knowledge to generate a response to this interrogatory.**

Interrogatory No. 3:

State when you filed Plaintiff's Motion for an Award of Additional Attorney's Fee in Cause No. 49K03-1407-SC-003946.

RESPONSE:

**January 20, 2015.**

Interrogatory No. 4:

State whether you checked the Court's (online or other) docket to see if an appeal had been filed prior to filing Plaintiff's Motion for an Award of Additional Attorney's Fees in Cause No. 49K03-1407-SC-003946.

RESPONSE:

**Defendant lacks sufficient knowledge to generate a response to this interrogatory.**

Interrogatory No. 5:

State the name of the attorney for Med-1 Solutions, LLC that spoke with Plaintiff at court on Cause No. 49K03-1407-SC-003946 on September 23, 2014, and state whether or not said attorney told Plaintiff that he had "now spent three more hours" working on Plaintiff's case.

RESPONSE:

**Defendant lacks sufficient knowledge to generate a response to this interrogatory. Notwithstanding, Francis Niper was the attorney who had appeared on this case for Defendant.**

Interrogatory No. 6:

State whether the attorney that spoke with Plaintiff at court on Cause No. 49K03-1407-SC-003946 on September 23, 2014, told Plaintiff that she would be responsible for additional attorney fees if she did not pay the \$375 attorney fees and \$117 in court costs that day.

RESPONSE:

**Defendant lacks sufficient knowledge to generate a response to this interrogatory.**

Interrogatory No. 7:

State whether the Affidavit of Attorney found at Dkt. 51-1 by Francis R. Niper is accurate.

RESPONSE:

**Defendant lacks sufficient knowledge to generate a response to this interrogatory.**

**The Affidavit appears to be signed by a former MED-1 attorney licensed in the State of Indiana who signed it under the penalties of perjury attesting to the attorney's fees incurred on this case.**

**Notwithstanding, MED-1 does not have any reason to believe an affidavit signed by its former attorney would be anything but accurate.**

Interrogatory No. 8:

State all material facts known to you that support your denial of paragraph 26(a) of Plaintiff's Second Amended Complaint.

RESPONSE:

**Plaintiff has provided no supporting evidence to the claims made in paragraph 26(a).**

**Furthermore, MED-1 employed an attorney licensed in the State of Indiana who signed an affidavit under the penalties of perjury attesting to the attorney's fees incurred on this case.**

Interrogatory No. 9:

State all material facts known to you that support your denial of paragraph 26(b) of Plaintiff's Second Amended Complaint.

RESPONSE:

**Plaintiff has provided no supporting evidence to the claims made in paragraph 26(b).**

Interrogatory No.10:

State all material facts known to you that support your denial of paragraph 26(c) of Plaintiff's Second Amended Complaint.

RESPONSE:

**Plaintiff has provided no supporting evidence to the claims made in paragraph 26(c).**

**Furthermore, MED-1 employed an attorney licensed in the State of Indiana who signed an affidavit under the penalties of perjury attesting to the attorney's fees incurred on this case.**

Interrogatory No. 11:

State all material facts known to you that support your denial of paragraph 26(d) of Plaintiff's Second Amended Complaint.

RESPONSE:

**Plaintiff has provided no supporting evidence to the claims made in paragraph 26(d).**

**Notwithstanding the lack of evidence, Defendant cites Marion County, Indiana, Local Rule 49-SC00-601**

Interrogatory No. 12:

State all material facts known to you that support your denial of paragraph 26(e) of Plaintiff's Second Amended Complaint.

RESPONSE:

**Plaintiff has provided no supporting evidence to the claims made in paragraph 26(e).**

**Notwithstanding the lack of evidence, Defendant cites Marion County, Indiana, Local Rule 49-SC00-601**

Interrogatory No. 13:

State all material facts known to you that support your First Affirmative Defense.

RESPONSE:

**Defendant has established procedures for an attorney licensed in the State of Indiana to review and sign all filings with the Court.**

**DEFENDANT'S RESPONSE TO  
PLAINTIFF'S FIRST REQUESTS FOR PRODUCTION**

1. All documents and electronically stored information (each use of the term "document" hereinafter includes electronically stored information) in your possession related to the alleged debt of Plaintiff that is the subject of the lawsuit captioned *Med-1 Solutions, LLC v. Ann Marie Robbins*, Cause No. 49K03-1407-SC-03946 (hereinafter "Small Claims Lawsuit") and the collection thereof, including but not limited to all internal notes, e-mails and electronic and hard copy files.

RESPONSE:

**Objection: This information contains information that is protected by attorney client privilege and/or attorney work product.**

**Defendant is providing a copy of its entire account including information up to the date of the filing of this claim. Defendant has redacted information that is subject to attorney client privilege and work product. Defendant has redacted information that has been inputted following the filing of the Second Amended Complaint on March 31, 2017.**

2. Each document that itemizes or tracks the time you spent in the Small Claims Lawsuit and collecting the debt at issue therein.

RESPONSE:

**Defendant has no document responsive to this request.**

3. All policy and procedure documents that concern the timekeeping by attorneys or other employees related to debt collection.

RESPONSE:

**Defendant has no documents responsive to this request.**

4. All audio recordings of any conversation with Plaintiff or notes taken from any conversation with Plaintiff.

RESPONSE:

**Objection: This information contains information that is protected by attorney client privilege and/or attorney work product.**

**Defendant has no recordings responsive to this request. Defendant has attached all notes in its account noting software. The Defendant has redacted information that is subject to attorney client privilege and work product.**

5. Each document disclosed in part (B) of Defendant's Initial Disclosures.

RESPONSE:

**Defendant lacks sufficient information to produce the requested documents. Defendant's Initial Disclosures do not contain a part (B).**

6. Each document that supports your answer to Interrogatory No. 8.

RESPONSE:

**Defendant has no documents responsive to this request.**

7. Each document that supports your answer to Interrogatory No. 9.

RESPONSE:

**Defendant has no documents responsive to this request.**

8. Each document that supports your answer to Interrogatory No. 10.

RESPONSE:

**Defendant has no documents responsive to this request.**

9. Each document that supports your answer to Interrogatory No. 11.

RESPONSE:

**Defendant has no documents responsive to this request.**

10. Each document that supports your answer to Interrogatory No. 12.

RESPONSE:

**Defendant has no documents responsive to this request.**

11. Each document that supports your bona fide error affirmative defense.

RESPONSE:

**See Page 30 of the Legal Manual Attached.**

12. Any document, recording or other piece of evidence that you may use as an exhibit in a motion for summary judgment or at the trial of this matter and have not already produced in response to the foregoing requests.

RESPONSE:

**Defendant has no documents responsive to this request.**

Respectfully submitted to Plaintiff's counsel on April 30, 2019.

/s/Nicholas Moline  
Nicholas Moline, IN Atty #29711-49  
Attorney for Defendant  
MED-1 Solutions, LLC  
517 U.S. Highway 31 North  
Greenwood, IN 46142  
(317) 883-5640

#### **CERTIFICATE OF SERVICE**

The undersigned, one of the attorneys for Defendant, certifies that on April 30, 2019 he caused a copy of the foregoing, **Defendant's Response to First Set of Interrogatories to Defendant & Defendant's Response to Plaintiff's First Requests for Production** To Be Served Via Email On:

Robert Duff  
[robert@robertdufflaw.com](mailto:robert@robertdufflaw.com)

/s/ Nicholas Moline  
Nicholas Moline  
*Counsel for Defendant*